

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

TIMOTHY L. TAYLOR,

Plaintiff,

v.

CIVIL ACTION NO. 1:17-00916

SGT. ERIC SLOANE, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

Pending before the court is plaintiff's complaint alleging violations of his constitutional and civil rights, pursuant to 42 U.S.C. § 1983. ECF No. 2. By Standing Order, the matter was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of proposed findings and recommendations ("PF&R") for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On October 10, 2017, the magistrate judge submitted his PF&R, in which he recommended that the district court grant plaintiff's motion to the extent he seeks to dismiss this matter without prejudice, (ECF No. 34), and remove the matter from the court's docket. ECF No. 36.

In accordance with the provisions of 28 U.S.C. § 636(b), petitioner was allotted fourteen days, plus three mailing days, in which to file any objections to Magistrate Judge Aboulhosn's Findings and Recommendation. The failure to file such

objections constitutes a waiver of the right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

The parties failed to file any objections to the magistrate judge's Findings and Recommendation within the seventeen-day period. Having reviewed the Findings and Recommendation, the court hereby **ADOPTS** the factual and legal analysis contained with the PF&R, (ECF No. 36), **GRANTS** plaintiff's motion to the extent he seeks to dismiss this matter without prejudice, (ECF No. 34), and **DIRECTS** the Clerk to remove this case from the court's docket.

The Clerk is further directed to forward a copy of this Memorandum Opinion and Order to plaintiff, pro se.

It **is SO ORDERED** this 25th day of January, 2018.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge